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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/749,426

12/31/2003

Jong-Tae Kwak

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02/09/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

COX, CASSANDRA F

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/749,426

Applicant(s)

KWAK ET AL.

Examiner

Cassandra Cox

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is indefinite because the claim is misdescriptive. It appears to the examiner from examination of the specification and the drawings that the first delay line does not receive the first delay control signal (UPDN1, as labeled in the specification and drawings) rather it receives the first comparative signal (PD1) and the second delay line receives either the second comparative signal (PD2) or the first delay control signal (UPDN1). According to applicant's specification the first and second delay control blocks generate the first and second control signals, respectively. The first and second delay lines generate the first and second delay control signals. Additionally, claim 6 is indefinite because it is misdescriptive. Applicant's claims and specification are contradictory in that the second delay control unit (421) receives the first delay control signal (UPDN1) or the second comparative signal (PD2) to generate a second delay enable signal (DL2_EN) and a delay line up-down signal (UPDN2) as the second delay control signal. It (the second delay control unit (421) does not receive the second delay control signal (UPDN2) nor does it generate the first delay line enable signal (DL1_EN) or the first delay control signal (UPDN1). It appears to the examiner that the language

used in the specification and the drawings does not correspond to the language used in the claims. Applicant refers to signal DL2_EN as the first delay line enable signal in the claims, but in the specification this signal is referred to as the second delay line enable signal. In the claims the up-down signal (UPDN2) is referred to as the first control signal, while in the specification it is referred to as the second control signal. The same applies to claims 7-9. In reference to claim 10, the direct phase detector of the second control delay block generates the second comparative signal (PD2) not the second delay control signal (UPDN2). In reference to claim 11, the direct phase detector of the first control delay block generates the first comparative signal (PD2) not the first delay control signal (UPDN1). Claims 2-5 and 12 are also rejected due to the limitations of the base claim and any intervening claims. Correction or clarification is required.

Allowable Subject Matter

3. Claims 1-12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

4. The following is a statement of reasons for the indication of allowable subject matter: Claims 1-12 would be allowable because the closest prior art of record fails to disclose a circuit as shown in Figure 4 wherein the delay locked loop device comprises a second delay line (222) for receiving the external clock signal and a second comparative signal (PD2) or the first delay control signal (UPDN1) to generate a second internal clock signal (INTCLK2) in combination with the rest of the limitations of the base claims and any intervening claims. This reason for allowable subject matter is based on the examiner's current understanding of the invention.

Conclusion

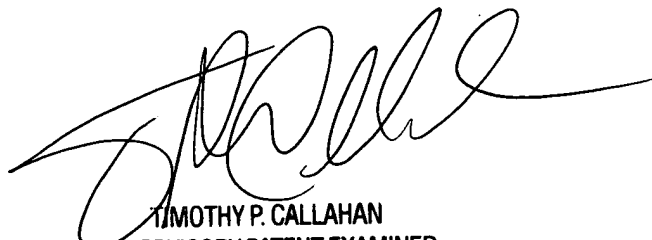
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cassandra Cox whose telephone number is 571-272-1741. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM and on.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CC
CC
February 1, 2005


TIMOTHY P. CALLAHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800